



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

April 1, 2020

By ECF

Honorable Sarah Netburn
United States Magistrate Judge
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Terrorist Attacks*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

We write on behalf of the Federal Bureau of Investigation ("FBI") in the above-referenced matter to respectfully request a further extension of the deadline for the FBI to file its motion papers in support of its cross-motion and in opposition to Plaintiffs' January 15, 2020 motion to compel. The FBI's motion papers are currently due on April 3, 2020, and we request that the deadline be extended to April 13, 2020. This is the FBI's third request for an extension of the deadline; the prior requests were granted on February 11, 2020, *see* Dkt. No. 5916, and March 16, 2020, *see* Dkt. No. 6078.

The FBI regrets having to seek another extension of this deadline. While there has been substantial progress toward completion of the Department of Justice process for considering the assertion of the state secrets privilege, the requested extension is sought to provide additional time for the completion of that process. Counsel for the Government has been advised that, due to scheduling demands arising from the press of official business, including the demands associated with the Government's response to the COVID-19 pandemic, the Attorney General and other senior ranking DOJ officials require additional time to personally review and consider the matter beyond the current response date.

Additionally, the finalization of the FBI's motion papers has been complicated by logistical issues caused by the pandemic as government officials need to be physically present in secure government space in order to access classified systems.

We sought the PECs' position on this request yesterday afternoon, but as of the filing of this letter, we have not received a response. We thank the Court for its consideration of this request.

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Respectfully submitted,

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cc: All counsel of record via ECF